REMARKS

In accordance with the foregoing, the specification and claims 1, 9, 10, 16, 29, and 30 have been amended. Claims 1-30 are pending, with claims 1, 9, 10, 16, 18, 26, 29, and 30 being independent. No new matter is presented in this Amendment.

Errors in the Office Action Summary

Item 1 in the Office Action Summary of the Office Action of January 22, 2007, indicates that the Office Action is "[r]esponsive to communication(s) filed on 01 January 2002." However, the present application was filed on January 10, 2002.

Item 6 in the Office Action Summary indicates that claims 1-4, 6-22, and 26-30 are rejected. However, it is submitted that it is claims 1-4, 9-11, 16-22, and 26-30 that are rejected as indicated on page 2 of the Office Action.

Item 10 in the Office Action Summary does not indicate whether the drawings filed on January 10, 2002, have been accepted by the Examiner. Accordingly, it is respectfully requested that the Examiner indicate this in the next Office Action.

Claim Amendments

Claims 1, 9, 10, 16, 29, and 30 have been amended solely to improve their form. These claims have not been amended to more clearly distinguish them over the references relied on by the Examiner. Accordingly, should the next Office Action include any new ground of rejection of any of claims 1, 9, 10, 16, 29, and 30 or claims 2-8, 11-15, and 17 depending from claims 1, 10, and 16, the Examiner cannot make that Office Action final.

Allowable Subject Matter

Claims 5-8, 12-15, and 23-25 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections Under 35 USC 102

Claims 1-4, 9-11, 16-22, and 26-30 were rejected under 35 USC 102(e) as being anticipated by Ando et al. (Ando) (U.S. Patent No. 6,456,783). This rejection is respectfully traversed.

Claims 1 and 10

It is submitted that Ando does not disclose the feature "wherein each of the stream object units having the content stream data, excluding a last stream object unit, has at least one entire application time stamp" recited in independent claim 1. With respect to this feature, the Examiner merely states "Column 8 Lines 37+ describes the time map." Column 37, lines 37-41, of Ando referred to by the Examiner reads as follows:

> Time map information 252 in FIG. 3(h), which is contained in SOBI#A in FIG. 3(g) can include stream block number 261, first stream block size 262, first stream block time difference 263, second stream block size 264, second stream block time difference 265, . . . , as shown in FIG. 3(i).

This passage of Ando clearly does not disclose the feature "wherein each of the stream object units having the content stream data, excluding a last stream object unit, has at least one entire application time stamp" recited in claim 1. Nor has the Examiner provided an explanation of why he considers this portion of Ando to disclose this feature of claim 1.

Column 5, lines 1-2, of Ando states that "[a]s shown in FIGS. 1(d) and 1(h), each SOBU [stream object unit] is made up of a plurality of stream packs." Column 24, lines 8-9, of Ando states that "FIG. 15 is a view for explaining the data structure of a stream pack." Column 24, lines 41-51, of Ando, which is part of the description of FIG. 15, reads as follows (emphasis added):

> AP_Ns in the application header describes the number of application packets that start within the stream pack of interest. If the stream pack of interest stores the first byte of ATS, it is determined that an application packet starts in this stream pack.
>
> FIRST_AP_OFFSET describes the time stamp position of the first application packet that starts within the stream packet of interest as a relative value (unit: byte) from the first byte in this

> stream packet. If no application packet starts within the stream packet, FIRST_AP_OFFSET describes "0".

Thus, Ando permits a stream packet not to have any application packet starting in it. Such a stream packet necessarily does not have at least one entire application time stamp (ATS) in it because at least the first byte of the application time stamp must be in a preceding stream packet. Furthermore, even if a stream packet has one application packet starting in it, Ando does not disclose that the entire application time stamp of the one application packet must be in the stream packet. Ando permits only the first byte of the application time stamp to be in the stream packet, with the remainder of the application time stamp being in a following stream packet. Furthermore, according to column 9, lines 19-23, of Ando, it is preferable that each stream object unit (SOBU) has a size of 64 kbytes. It is not seen where Ando discloses any limit on the size of an application packet. Accordingly, it appears that Ando permits an application packet to be longer than a stream object unit (SOBU), which permits a situation to occur in which an application packet starts in a first SOBU, extends through a second SOBU, and ends in a third SOBU. In such a case, it is impossible for the second SOBU to contain an entire application time stamp. Accordingly, it is not see where Ando discloses the feature "wherein each of the stream object units having the content stream data, excluding a last stream object unit, has at least one entire application time stamp" recited in claim 1.

It is submitted that Ando does not disclose "a Stream Object Unit (SOBU) generating unit packing the content stream data output from the buffer unit and generating the stream object units having the content stream data so that each of the stream object units, excluding a last stream object unit, includes at least one entire application time stamp" as recited in independent claim 10 for at least substantially the same reasons discussed above that Ando does not disclose the similar feature of claim 1.

Claims 2, 11, and 22

It is submitted that Ando does not disclose the feature "wherein a size of the application packet is small enough so that each of the stream object units excluding the last stream object unit includes at least one entire application time stamp" recited in dependent claim 2. The Examiner considers this feature of claim 2 to be disclosed in column 2, lines 49+, of Ando. However, column 2, lines 49+, can be interpreted to mean the entire portion of Ando beginning

at column 2, line 49, and ending at the end of column 38, which is the last column of Ando. Accordingly, it is respectfully requested that the Examiner identify the specific portion of Ando beginning at column 2, line 49, that he considers to disclose this feature of claim 2.

In the meantime, it appears that the Examiner may be relying on column 2, lines 49-58, of Ando which reads as follows:

> In order to achieve the other object, in a recording method according to the present invention, a set of one or more stream objects (SOB) that represent playback data for a recorded bitstream constitutes stream data, the stream object (SOB) is formed of one or more stream packs (S_PCK), and the stream pack (S_PCK) is formed of a pack header and stream packet (S_PKT). The pack header includes predetermined time information (SCR), and the stream packet (S_PKT) includes one or more application packets (AP_PKT) assigned with predetermined time stamps (ATS).

Although the last sentence of this passage states that "the stream packet (S_PKT) includes one or more application packets (AP_PKT) assigned with predetermined time stamps (ATS)," it is submitted that this statement is inconsistent with column 24, lines 41-51, of Ando discussed above in connection with FIG. 1, which permits a stream packet not to have any application packet starting in it. In any event, it is not seen where Ando discusses the size of an application packet. Nor has the Examiner explained why he considers column 2, lines 49+ of Ando to disclose the feature "wherein a size of the application packet is small enough so that each of the stream object units excluding the last stream object unit includes at least one entire application time stamp" recited in claim 2.

It is submitted that Ando does not disclose the feature "wherein a size of the application packet is small enough so that each of the stream object units excluding the last stream object unit includes at least one entire application time stamp" recited in dependent claim 11, or the feature "wherein a size of the application packet is small enough so that each of the plurality of stream object recording units, excluding a last stream object recording unit, includes one entire application time stamp" recited in dependent claim 22, for at least substantially the same reasons discussed above that Ando does not disclose the same or similar feature of claim 2.

Claim 17

It is submitted that Ando does not disclose the feature "wherein each of the stream object units, excluding a last stream object unit, includes at least one entire application time stamp, the SOBU generation unit makes the last stream object unit include the stuffing packet for correction, and the last stream object unit records the stuffing packet for correction continuously after a last application packet included in the stream object" recited in dependent claim 17. In explaining the rejection, the Examiner merely states "Column 32 Lines 48+ describes the stream object unit." However, column 32, lines 48+, can be interpreted to mean the entire portion of Ando beginning at column 32, line 48, and ending at the end of column 38, which is the last column of Ando. Accordingly, it is respectfully requested that the Examiner identify the specific portion of Ando beginning at column 32, line 48, that he considers to disclose this feature of claim 17.

In the meantime, column 32, line 48, through column 33, line 5, of Ando describes FIG. 20 which is "a view exemplifying the correspondence between the access unit start map (AUSM) and access unit end map (AUEM), and stream object unit (SOBU)." It is not seen where FIG. 20 or this passage of Ando discloses the feature recited in claim 17..

Column 33, lines 6-46, of Ando describes FIG. 21 which is "a flow chart for explaining the stream data recording sequence according to another embodiment of the present invention." Column 33, lines 35-38, in this passage states that "[i]f recording is complete (YES in step ST114), the streamer stuffs packets and stuffing bytes as needed in the last SOBU, and writes sectors of the last SOBU on the disc as playback data (step ST116)." However, it is not seen where this passage of Ando discloses the feature "wherein each of the stream object units, excluding a last stream object unit, includes at least one entire application time stamp, the SOBU generation unit makes the last stream object unit include the stuffing packet for correction, and the last stream object unit records the stuffing packet for correction continuously after a last application packet included in the stream object" recited in claim 17. Nor has the Examiner explained why he considers this portion or any other portion of Ando discloses this feature of claim 17.

Claim 21

It is submitted that Ando does not disclose the feature "wherein the control unit generates search information by regarding a value which is obtained by adding an integer to an integer part of an application time stamp of a last stream pack in the stream object, as the value of the predetermined application time stamp" recited in dependent claim 21. In explaining the rejection, the Examiner merely states "Column 32 Lines 20+ describes the search information regarding a value for adding an integer." However, column 32, lines 20+, can be interpreted to mean the entire portion of Ando beginning at column 32, line 20, and ending at the end of column 38, which is the last column of Ando. Accordingly, it is respectfully requested that the Examiner identify the specific portion of Ando beginning at column 32, line 20, that he considers to disclose this feature of claim 21. Furthermore, the word "integer" does not appear anywhere in Ando, and the word "search" does not appear anywhere from column 32, line 20, through the end of Ando. Although FIG. 18 of Ando shows "SOB information search pointer #1 SOBI_SRP #1" through "SOB information search pointer #n SOBI_SRP #n," it is not seen where FIG. 18 discloses the feature "wherein the control unit generates search information by regarding a value which is obtained by adding an integer to an integer part of an application time stamp of a last stream pack in the stream object, as the value of the predetermined application time stamp" recited in claim 21

Claim 27

It is not seen where Ando discloses the feature "wherein the search information includes an Incremental Application Packet Arrival Time" recited in dependent claim 27. In explaining the rejection, the Examiner merely states "Column 32 Lines 48+ describes the packet arrival time of the search information." However, column 32, lines 48+, can be interpreted to mean the entire portion of Ando beginning at column 32, line 48, and ending at the end of column 38, which is the last column of Ando. Accordingly, it is respectfully requested that the Examiner identify the specific portion of Ando beginning at column 32, line 48, that he considers to disclose this feature of claim 27. Furthermore, the word "incremental" does not appear anywhere in Ando, and although the term "arrival time" appears at several places from column 32, line 20, through the end of Ando, the word "search" does not appear in this portion of Ando.

Claims 9, 16, 18, 19, 26, and 28-30

It is not seen where Ando discloses the feature

> wherein a stream object unit having no application time stamp, among the stream object units having the content stream data, has a predetermined application time stamp and a stuffing packet for correction which is recorded continuously after a last application packet included in the stream object

recited in independent claim 9, or

> a Stream Object Unit (SOBU) generating unit generating a plurality of stream object units wherein a stream object unit having no corresponding application time stamp has a stuffing packet for correction which includes a predetermined application time stamp

as recited in independent claim 16, or

> a control unit generating search information by regarding a stream object recording unit having no application time stamp to include a predetermined application time stamp and search information

as recited in independent claim 18, or the feature

> wherein the control unit generates search information by regarding a value which is obtained by adding an integer to a value of an application time stamp of a last stream pack included in the stream object, as the value of the predetermined application time stamp

recited in dependent claim 19, or

> a control unit searching for a corresponding stream object unit by referring to generated search information and by regarding a value which is obtained by adding an integer to a value of an application time stamp of a last stream pack of the stream object, as the value of an application time stamp for a last stream object unit in the stream object when referring to the read mapping list

as recited in independent claim 26, or

> a Stream Object Unit (SOBU) interpreting unit which reads the stream object units, interpreting the read stream object units, and outputting the content stream data;
>
> a clock generating unit generating a clock value; and

> a buffer unit buffering the content stream data provided by the SOBU interpreting unit, based on the clock value provided by the clock generating unit, and outputting the content stream data

as recited in dependent claim 28, or the feature

> wherein a stream object unit having no application time stamp, among the stream object units having the content stream data, has a predetermined application time stamp which is obtained by adding an integer to an application time stamp of a last application packet in the stream object

recited in independent claim 29, or the features

> a Stream Object Unit (SOBU) generating unit generating a the stream object units wherein one of the stream object units having no corresponding application time stamp has a stuffing packet for correction which includes a predetermined application time stamp; and
>
> . . . .
>
> the control unit searching for a corresponding stream object unit by referring to generated search information and regarding a value of the predetermined application time stamp as the value of an application time stamp for the last stream object unit in the stream object when referring to the read mapping list

recited in independent claim 30.

Furthermore, the Examiner did not point out where Ando discloses the above features of claims 9, 16, 18, 19, 26, and 28-30 or otherwise address these features in explaining the rejection of claims 9, 16, 18, 19, 26, and 28-30, such that the Examiner has not established a *prima facie* case of anticipation under 35 USC 102(e) with respect to claims 9, 16, 18, 19, 26, and 28-30.

Conclusion—Claim Rejections Under 35 USC 102

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-4, 9-11, 16-22, and 26-30 (i.e., claims 1, 2, 9-11, 16-19, 21, 22, and 26-30 discussed above and claims 3, 4, and 20 depending directly or indirectly from various ones of claims 1, 2, 18, and 19) under 35 USC 102(e) as being anticipated by Ando be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 04/23/07

By: _____

Randall S. Svihla
Registration No. 56,273

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510